



State of Utah

Department of Natural Resources

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Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

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Governor

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Lieutenant Governor

November 9, 2006

CERTIFIED RETURN RECEIPT
7002 0510 0003 8603 3806

Bruce Mitchell
Sawtooth Stone Supply
P.O. Box 49
Oakley, Idaho 83346

Subject: Third Review of Notice of Intention to Commence Large Mining Operations,
Sawtooth Stone Supply, LLC, Sawtooth Stone Quarry #1, M/003/067, Task ID#
1576, Box Elder County, Utah

Dear Mr. Mitchell:

The Division has completed a review of your revised Notice received May 31, 2006 for the Sawtooth Stone Quarry #1, located in Box Elder County, Utah. After reviewing the information, the Division has the following comments which need to be addressed before tentative approval may be granted.

The comments are listed below under the applicable Minerals Rule heading. Please format your response in a similar fashion and address only those items requested in the attached technical review. Send replacement pages of the original notice **using redline and strikeout text** and indicate how these are to be incorporated into the current Notice. Remember, you'll be asked for two clean copies upon final approval.

If you have any questions in this regard please contact me @ (801)538-5258 or Lynn Kunzler, @ 538-5310. If you wish to arrange a meeting to discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:LK:pb

Attachment: Review

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THIRD REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

**Sawtooth Stone Supply
Sawtooth Stone Quarry #1**

**M/003/067
November 9, 2006**

R647-4-105 - Maps, Drawings & Photographs

105.3 Drawings or Cross Sections (slopes, roads, pads, etc.)

Map E should have a legend to explain the significance of the colors on the cross sections. (DJ)

The bench faces will be covered with dump material as the quarry operation progresses. All dumps within the site should be reclaimed to a slope no greater than 3:1. Please include a commitment in the plan to reduce dump slopes during reclamation. (DJ)

R647-4-107 - Operation Practices

107.1 Public safety & welfare

The plan states Map E has been drawn to show a maximum development of four 15-foot benches totaling 60 feet of quarrying. Map E shows four benches of mining totaling ~195' of quarrying. The bench height varies from 30 foot to 70 feet. Please correct the text or the map for consistency. (DJ)

R647-4-110 - Reclamation Plan

110.2 Roads, highwalls, slopes, drainages, pits, etc., reclaimed

The plan states Rule R647-111.7 allows a slope angle up to 45 degrees as shown on Map F. Map F shows reclamation treatments, nothing is shown regarding slopes. Please change this map reference. (DJ)

The plan states that the area to be excluded is shown in yellow on Map F. Map F shows areas to be reclaimed in yellow. Please correct. (DJ)

The writer's states that his understanding that slopes exceeding 45 degrees can be left as long as the overall slope does not exceed 45 degrees is correct. This applies as long as the height of these interim highwall sections is not excessive and the material forming this highwall is stable. (DJ)

110.5 Revegetation planting program

Soil data provided is adequate for permitting. However, prior to final reclamation, it may be necessary to resample and analyze soils (plant growth material) to assure soil amendments and/or fertilizer is not needed. Please include a commitment in the plan to resample soils at the time of reclamation. (LK)

R647-4-111 - Reclamation Practices

111.7 Highwalls stabilized at 45 degrees or less

Refer to comments under section 110.2 above. (DJ)

R647-4-112 - Variance

The operator has requested several variances for this operation (in addition to the previously approved soils variance).

Variance to Rule R647-4-110.2 Reclamation of Highwalls.

The operator has requested to not reclaim the full extent of the last created highwall (bench). All other benches will be reclaimed. The operator has not provided sufficient detail to approve this variance at this time. Please describe the height and slope of the final highwall, provide rationale as to why the variance to leave it is warranted and provide a discussion of alternative methods or measures (specifically public safety and vegetation establishment) to be utilized to meet the requirements of the act (refer to R647-4-110.2 and ~107.1 (DJ)

Variance to Rule R647-4-110.2 and R647-4-111.8 Reclamation of Roads.

The operator has requested that certain roads, including the access road be left unreclaimed. Most of the roads were pre-existing (two-track) roads less than 10 feet wide. The Division will not require full reclamation of the pre-existing roads (however, if roads were widened to accommodate the mining operation, the additional width may require reclamation). For the portions of roads A and B that have been impacted by the operations, the Division will allow a 10-foot width to remain unreclaimed. With regards to the access road (road C), a portion of this road was re-aligned to avoid a seep area. The old section of this pre-existing road was reclaimed. The Division inspected Road C on August 8, 2006. As constructed, the road had an average travel width of 10 feet and an overall width (in the cut/fill section) of 18 feet. The cut/fill portion has been vegetated. The Division considers the average 10-foot travel width to not be excessive for post mining access to the property. Therefore, this variance can be approved. (LK)

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Variance to Rules R647-4-110 Reclamation Plan and R647-4-111 Reclamation Practices.

This variance request is incomplete and therefore cannot be approved. For the land owner to set up a crusher for gravel is a continuation of mining activity, not a post mining land use. Reclamation of a site does **not** restrict the land owner from use of his property as implied. There is not alternative practice suggested which demonstrates that the intent of act/rules (reclamation of the site) will be met. (LK)

As stated in previous correspondence, if there is a valid alternative land use at the end of mining, the reclamation plan can be modified to best fit that intended use. This includes leaving areas flat, not replacing topsoil, seeding, or performing other reclamation tasks. Part of the land use change (permit modification) would be documentation of approval of local authorities for the new land use (this may include zoning clearances, building or occupancy permits, grading permits, etc.). (LK)

R647-4-113 - Surety

The reclamation of 6400 linear feet of road in the surety has been calculated at a cost of \$0.20/lf because the road is located on gentle to moderate grades. Please differentiate between the portion of this road that can be reclaimed by simply ripping with a dozer and the areas that will require reclamation using a trackhoe. (DJ)

The escalation factor now being used by the Division is 1.2%